

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Veng Ung, et al.,

Plaintiffs,

v.

Columbus Extend-A-Suites, et al.,

Defendants.

Case No: 2:18-cv-1479

Judge Graham

Magistrate Judge Jolson

Order

This counterclaim action for breach of a commercial lease and tortious interference with a contract is before the Court on the Magistrate Judge's November 26, 2019 Report and Recommendation. Following an entry of default against Veng Ung (aka Wayne Lee) and 1219 Holdings, LLC, the Court referred the unopposed motion of Columbus Extend-A-Suites for default judgment to the Magistrate Judge. The Magistrate instructed the parties to submit summary judgment briefing regarding the counterclaims and damages. Extend-A-Suites then filed a motion for summary judgment on damages, to which Veng Ung and 1219 Holdings did not respond.

The Magistrate Judge found that both the nature and amount of each item of damage sought by Extend-A-Suites was well-supported by the evidence of record. The damages include unpaid rent, late fees, unpaid taxes, unpaid expenses, attorneys' fees, and the losses resulting from Veng Ung's tortious interference with a contract between Extend-A-Suites and a third party. The Magistrate thoroughly examined the evidence and the monetary loss relating to each category of damage. Veng Ung and 1219 Holdings have not filed any objections to the Report and Recommendation.

Accordingly, the Court approves and adopts the Magistrate Judge's November 26, 2019 Report and Recommendation. Defendants' motions for default judgment (doc. 11) and summary judgment (doc. 22) are GRANTED.

The Clerk of Court shall enter judgment in favor of Columbus Extend-A-Suites on its counterclaim for breach of contract against Veng Ung (aka Wayne Lee) and 1219 Holdings jointly and severally in the amount of \$525,835.07, plus interest. The Clerk of Court shall enter judgment

in favor of Columbus Extend-A-Suites on its counterclaim for tortious interference with a contract against Veng Ung (aka Wayne Lee) in the amount of \$551,000.00, plus interest.

s/ James L. Graham
JAMES L. GRAHAM
United States District Judge

DATE: January 9, 2020